REMARKS

Claims 1, 2 and 6-9 are now pending in the application. Minor amendments have been made to the independent claims to simply overcome rejections of the claims under 35 U.S.C. § 112. Specification support for the amendments are found at Paragraphs [0012] and [0013] of the Specification. The amendments to the claims contained herein are of equivalent scope as originally filed and, thus, are not narrowing in nature. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

Claim Rejections Under 35 U.S.C. §112

Claims 1, 2 and 6 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. The rejection is respectfully traversed.

As pointed out above, the amendment to claim 1 finds specific support at Paragraphs [0012] and [0013] of the Specification. Withdrawal of the rejection is respectfully requested.

Claims 1, 2 and 6-9 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The rejection is respectfully traversed.

Independent claims 1 and 7 have been amended to delete reference to an intentionally weakened area. Withdrawal of the rejection is respectfully requested.

Rejections under 35 U.S.C. §102

Claims 1 and 6 stand rejected under 35 U.S.C. §102(b) as being anticipated by Miller, U.S. 6,435,299. The rejection is respectfully traversed.

As taught by Miller, under a front end collision scenario, the front section 14 of the propeller shaft of Miller buckles vertically and moves rearwardly through center support 12 without jamming due to the presence of deflector 22 (Fig. 6). Looking at Figs. 7B and 8B it becomes clear that after a front end collision, the Miller apparatus has the first section of the propeller shaft 14 imparting movement to the second portion 16. Hence, the second section of the Miller propeller shaft is not isolated from effects of the axial load to enable the second section to remain substantially stationary under the axial load, as called for in independent claim 1.

Furthermore, with respect to claim 6, Miller does not even disclose a gas tank let alone teach that it would surround the rear propeller shaft. Claim 1 and its dependent claim 6 are therefore believed to be patentably distinguishable over Miller.

Claims 1, 2 and 6-8 stand rejected under 35 U.S.C. §102(b) as being anticipated by Jacob, U.S. 6,241,617. The rejection is respectfully traversed.

Jacob is silent as to buckling or to handling collisions at all, let alone as to isolating the second section from the effects of the axial load in such a collision. Claim 1, its dependent claims 2 and 6, and claim 7 and its dependent claim 8 are therefore believed to be patentably distinguishable over Jacob.

Claims 1 and 6-8 stand rejected under 35 U.S.C. §102(b) as being anticipated by Murata et al, U.S. 6,213,245. The rejection is respectfully traversed.

Fig. 6 of Murata clearly shows displacement at the second portion 2B of the propeller shaft under the force of a front end collision. Also see Murata et al. at column 1, lines 50 and following. Claim 1 its dependent claims 6, and claim 7 and its dependent claim 8 are therefore believed to be patentably distinguishable over Murata et al.

Claims 1, 2 and 6-8 stand rejected under 35 U.S.C. §102(b) as being anticipated by Uchida et al, U.S. 4,778,026. The rejection is respectfully traversed.

Uchida et al does not address collisions, let alone buckling of the first propeller shaft section or maintaining non-movement of the second section under such a collision load as called for in independent claims 1 and 7. Claims 1, its dependent claims 2 and 6, and claim 7 and its dependent claim 8 are therefore believed to be patentably distinguishable over Uchida et al.

Claims 1, 2 and 6-8 stand rejected under 35 U.S.C. §102(b) as being anticipated by Nelson et al, U.S. 4,050,534. The rejection is respectfully traversed.

Nelson et al likewise fails to address the effects of front end collisions or buckling of the first propeller shaft section or maintaining non-movement of the second propeller shaft section as called for in independent claims 1 and 7. Claim 1, its dependent claims 2 and 6, and claim 7 and its dependent claim 8 are therefore believed to be patentably distinguishable over Nelson et al.

Claims 1, 2 and 6 stand rejected under 35 U.S.C. §102(b) as being anticipated by Breese, U.S. 5,643,093. The rejection is respectfully traversed.

Breese is silent as to front end collision effects. Furthermore, the Breese propeller shaft has no first and second sections–it is one piece. Thus, there is no teaching or suggestion of isolating a second section from the buckling movement of the first section under a front end collision, as called for in independent claim 1. Claim 1 and its dependent claims 2 and 6 are therefore believed to be patentably distinguishable over Breese.

Rejection under 35 U.S.C. §103

Claim 9 stands rejected under 35 U.S.C. §103(a) as being unpatentable over any one of Jacob, Murata, Uchida and Nelson. The rejection is respectfully traversed.

Without acceding to the correctness of the Examiner's remarks over these references, claim 9 depends directly from independent claim 7 and is therefore believed to be in condition for allowance over the cited references for the reasons set forth above with respect to independent claim 7.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested.

Respectfully submitted,

Dated: August 1, 2006

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